

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DANIEL CASARES,)	
)	
Plaintiff,)	No. 08 C 4198
)	
v.)	
)	
OFFICER BERNAL, Star No. 12254,)	Judge Lindberg
OFFICER SZUBSKI, Star No. 4443, OFFICER)	
VERDIN, Star No. 2913, OFFICER LEACH,)	Magistrate Judge Brown
Star No. 4927, OFFICER WILLIAMS, Star No.)	
2999, OFFICER CALVO, Star No. 15753,)	
OFFICER PARTYKA, Star No. 10596, and the)	
CITY OF CHICAGO,)	
)	
Defendants.)	

**DEFENDANTS' UNOPPOSED MOTION
FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD**

Defendant City of Chicago (the "City"), through its attorney Mara S. Georges, Corporation Counsel of the City of Chicago, and defendants Bernal, Szubski, Verdin, Leach, Williams, Calvo, and Partyka, through their attorneys, Sanjay Patel and Bhairav Radia, Assistants Corporation Counsel, move this Court, pursuant to Federal Rule of Civil Procedure 6(b), to grant all defendants an extension of time until October 2, 2008, to answer or otherwise plead in response to plaintiff's complaint. In support of this motion, the defendants state as follows:

1. On July 24, 2008, plaintiff filed his four-count complaint, which alleges a federal excessive force claim and a state law battery claim against seven Chicago police officers, as well as state law claims against the City.
2. Plaintiff's complaint and summons were received by the City on or about July 24,

2008, and its responsive pleading was due by August 13, 2008. The individual defendants' responsive pleadings were due by August 14, 2008. However, plaintiff's complaint and summons were received by defendants Szubski and Verdin on or about August 13, 2008; by defendants Bernal and Williams on August 14, 2008; by defendant Calvo on August 15, 2008; by defendant Partyka on August 16, 2008; and by defendant Leach on August 20, 2008.

3. In addition, counsel for defendants were assigned this case and received plaintiff's complaint on August 21, 2008, several days after all defendants were due to respond to plaintiff's complaint.

4. Consequently, counsel for defendants have not yet begun the process of investigating the allegations in the plaintiff's complaint and gathering and examining the pertinent records.

5. Accordingly, defendants request time until October 2, 2008, to answer or otherwise plead in response to plaintiff's complaint.

6. This is the first extension of time any defendant has sought in this case.

7. This motion is not brought for the purpose of delay or any other improper purpose, but in the interest of litigation economy.

8. Plaintiff will not be prejudiced if the requested extension of time is granted.

9. Sanjay Patel, a counsel for defendants, spoke with one of plaintiff's counsels, Blake Horwitz, on August 21, 2008, and plaintiff does not oppose this motion.

For these reasons, defendants request the Court to grant defendants an extension of time until October 2, 2008, to file their answers or otherwise plead to plaintiff's complaint.

Respectfully submitted,

Mara S. Georges
Corporation Counsel of the
City of Chicago

By: s/ Sanjay Patel
Bhairav Radia
Sanjay Patel
Assistants Corporation Counsel

s/ Sanjay Patel
Bhairav Radia
Sanjay Patel
Assistants Corporation Counsel
Attorneys for defendants Bernal, Szubski,
Verdin, Leach, Williams, Calvo, and Partyka

Dated: August 22, 2008

30 North LaSalle Street, Suite 1020
Chicago, Illinois 60602
(312) 744-6919/(312) 742-3902